

Docket No.: BGI-160US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Oskar Zelder *et al.*

Application No.: 10/579,648

Confirmation No.: 9380

Filed: May 18, 2006

Art Unit: N/A

For: **METHODS FOR THE PREPARATION OF A
FINE CHEMICAL BY FERMENTATION**

Examiner: Not Yet Assigned

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In accordance with 37 CFR 1.98(a)(2)(ii), Applicants have not submitted a copy of the cited U.S. patent application. Applicants submit herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

Please note that due to its extensive length, only the front page and claims are included for reference B2. A complete copy will be provided to the Examiner upon request.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BGI-160US.

Dated: January 19, 2007

MLZ/MG/mch

Respectfully submitted,

By 

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Substitute for form 1449/PTO				Complete if Known	
				Application Number	10/579,648-Conf. #9380
				Filing Date	May 18, 2006
				First Named Inventor	Oskar ZELDER
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	BGI-160US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)	MM-DD-YYYY		
A1*	US-20020055152-A1	05-09-2002	Farwick et al.		

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		
B1	JP-11-206385	08-03-1999	Mitsubishi Chem. Corp.		Abstr.
B2	WO-01/00844-A2	01-04-2001	BASF Aktiengesellschaft		
B3	WO-01-07626-A2	02-01-2001	O'Donohue, Michael R. et al.		
B4	EP-1186657-A1	03-13-2002	DeGussa AG		Abstr.
B5	WO-03-014330-A2	02-20-2003	DeGussa AG		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
C1	Bott, Michael et al., "The respiratory chain of <i>Corynebacterium glutamicum</i> ," <i>Journal of Biotechnology</i> , Vol. 104:129-153 (2003)				
C2	Dominguez, Hélène et al., "Carbon-flux distribution in the central metabolic pathways of <i>Corynebacterium glutamicum</i> during growth on fructose," <i>Eur. J. Biochem.</i> , Vol. 254:96-102 (1998)				
C3	Gokarn, R.R. et al., "The physiological effects and metabolic alterations caused by the expression of <i>Rhizobium etli</i> pyruvate carboxylase in <i>Escherichia coli</i> ," <i>Appl. Microbiol. Biotechnol.</i> , Vol. 56:188-195 (2001)				
C4	Hols, Pascal et al., "Conversion of <i>Lactococcus lactis</i> from homolactic to homoalanine fermentation through metabolic engineering," <i>Nature Biotechnology</i> , Vol. 17:588-592 (1999)				
C5	Kiefer, Patrick et al., "Comparative Metabolic Flux Analysis of Lysine-Producing <i>Corynebacterium glutamicum</i> Cultured on Glucose or Fructose," <i>Applied and Environmental Microbiology</i> , Vol. 70(1):229-239 (2004)				
C6	Kiefer, P. et al., "Influence of glucose, fructose and sucrose as carbon sources on kinetics and stoichiometry of lysine production by <i>Corynebacterium glutamicum</i> ," <i>Journal of Industrial Microbiology & Biotechnology</i> , Vol. 28:338-343 (2002)				
C7	Marx, Achim et al., "Determination of the Fluxes in the Central Metabolism of <i>Corynebacterium glutamicum</i> by Nuclear Magnetic Resonance Spectroscopy Combined with Metabolite Balancing," <i>Biotechnology and Bioengineering</i> , Vol. 49:111-129 (1996)				
C8	Marx, Achim et al., "Response of the Central Metabolism in <i>Corynebacterium glutamicum</i> to the use of an NADH-Dependent Glutamate Dehydrogenase," <i>Metabolic Engineering</i> , Vol. 1:35-48 (1999)				

Examiner Signature	Date Considered
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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				Complete if Known	
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				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	BGI-160US

C9	Park, S.M. et al., "Metabolic and Physiological Studies of <i>Corynebacterium glutamicum</i> Mutants," <i>Biotechnol. Bioeng.</i> , Vol. 55:864-879 (1997)	
C10	Péquignot, C. et al., "Effect of oxygen transfer and carbon source composition on the growth of <i>Corynebacterium melassecola</i> ," <i>Bioprocess Engineering</i> , Vol. 13:197-204 (1995)	
C11	Sahm, Hermann et al., "Pathway Analysis and Metabolic Engineering in <i>Corynebacterium glutamicum</i> ," <i>Biol. Chem.</i> , Vol. 381:899-910 (2000)	
C12	International Preliminary Report for Application No. PCT/IB2004/004426, dated December 5, 2005	
C13	International Search Report for Application No. PCT/IB2004/004426, dated July 11, 2005	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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